



## *City of El Paso – City Plan Commission Staff Report*

### **REVISED**

**Case No:** SUSU12-00001 El Retiro Subdivision Replat “A”  
**Application Type:** Resubdivision Combination  
**CPC Hearing Date:** January 26, 2012

**Staff Planner:** Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** West of Boy Scout Lane and North of Gary Lane  
**Acreage:** 0.45-acre  
**Rep District:** 8  
**Existing Use:** Vacant  
**Existing Zoning:** R-2A (Residential)  
**Proposed Zoning:** R-2A (Residential)

**Nearest Park:** Marwood Park (1.14 miles)  
**Nearest School:** Zach White Elementary School (1.50 miles)  
**Park Fees Required:** N/A  
**Impact Fee Area:** This property is not in an impact fee area and is not subject to impact fees.

**Property Owner:** Eugenio & Ana Mesta  
**Applicant:** CAD Consulting Company  
**Representative:** CAD Consulting Company

### **SURROUNDING ZONING AND LAND USE**

**North:** R-2 (Residential)/ Single Family Residential Development  
**South:** R-2A (Residential)/ Single Family Residential Development  
**East:** R-2A (Residential)/ Single Family Residential Development  
**West:** R-2A (Residential)/ Single Family Residential Development & Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Residential.

### **APPLICATION DESCRIPTION**

The subdivider proposes to replat the subject property to remove a note that was placed on the original plat restricting construction of a residence on the lot. Access is from Gary Lane, via a private access easement.

The plat has been granted vested rights under the previous subdivision code.

The following modification is being requested:

- To allow for a panhandle in excess of the 200-ft maximum length permitted by the previous subdivision code.

### **CASE HISTORY**

El Retiro Subdivision was approved on a Major Combination basis by the City Planning Commission on February 11, 1999.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends *approval* of the modification under Reason 2 of Section 19.04.170.A of the previous Subdivision Ordinance and *approval* of El Retiro Subdivision Replat "A" on a **Resubdivision Combination** basis subject to the following conditions and requirements:

#### **Planning Division Recommendation:**

*Approval with modification.* In this case, Reason 2 is met as the property owner must cross a lateral to access the property.

#### **Engineering & Construction Management - Land Development**

We have reviewed subject plan recommend **Approval**; Developer/Engineer needs to address the following comments:

**The Subdivision is within Flood Zone C-"Areas of minimal flooding" – Panel # 480214 0026 D, dated January 3, 1997.**

#### **EPDOT**

The Department of Transportation has no objections to the proposed plat.

Note:

1. All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction

#### **Parks and Recreation Department**

We have reviewed **El Retiro Subdivision Replat "A"**, a resubdivision combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision density is not being increased, as evidenced by the original subdivision and replat, however, applicant needs to provided proof of paid "Park fees" in order for this subdivision to be excluded from the calculation for parkland dedication as required per ordinance Title 19 - Subdivisions, **Chapter 19.20 - Parks & Open Space** as noted below.

#### **Section 19.20.060 - Exclusions from dedication requirement.**

Exclusions. The following shall be excluded from the calculation for parkland dedication. In all instances, the **burden of proof shall be on the subdivider** to demonstrate that the plat meets the requirements of this chapter:

- A. A residential replat of an area where the density has not been increased from the original subdivision, as evidenced by the original subdivision and replat. In the case of a replat where parkland was not originally provided, the parkland requirements shall prevail;  
(*Ord. 16882 § 2 (part), 2008*)

Please allocate funds under Park Zone: **NW-4**

Nearest Parks: **Braden Aboud** & **River Bend**

**El Paso Water Utilities**

1. EPWU does not object to this request

**Water:**

2. There is an existing 8-inch diameter water main extending along the private utility easement that is available for service, the water main is located approximately 5-feet east from the center right-of-way line.

**Sewer:**

3. There is an existing 8-inch diameter sanitary sewer main extending along the private utility easement that is available for service, the sewer main is located approximately 5-feet west from the center right of way line.

**General:**

4. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**EPWU Stormwater Division**

No comments received.

**El Paso Fire Department**

No objections. Please note: IFC 2009 section Fire department access roads 503.2.3 surface. Access road shall be an all-weather surface. Design and maintain to imposed loads of fire apparatus.

**911**

No comments received.

**Sun Metro**

No comments received.

**Central Appraisal District**

No comments received.

**El Paso Electric Company**

No comments received.

**Texas Gas Company**

No comments received.

**El Paso Independent School District**

No comments received.

**Additional Requirements and General Comments:**

1. Submit to the Planning and Economic Development Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.
3. Applicant shall address the following comments prior to recordation:
  - Remove 18-foot right-of-way dedication from plat graphic as this right-of-way was dedicated per the original plat.
  - Per Section 19.16.060(L), provide deed restrictions regarding the use of on-site ponding for the subject property.
  - Per Section 19.16.080(F), provide covenants ensuring maintenance of common driveway.

**Attachments**

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Modification request
6. Application

ATTACHMENT 1



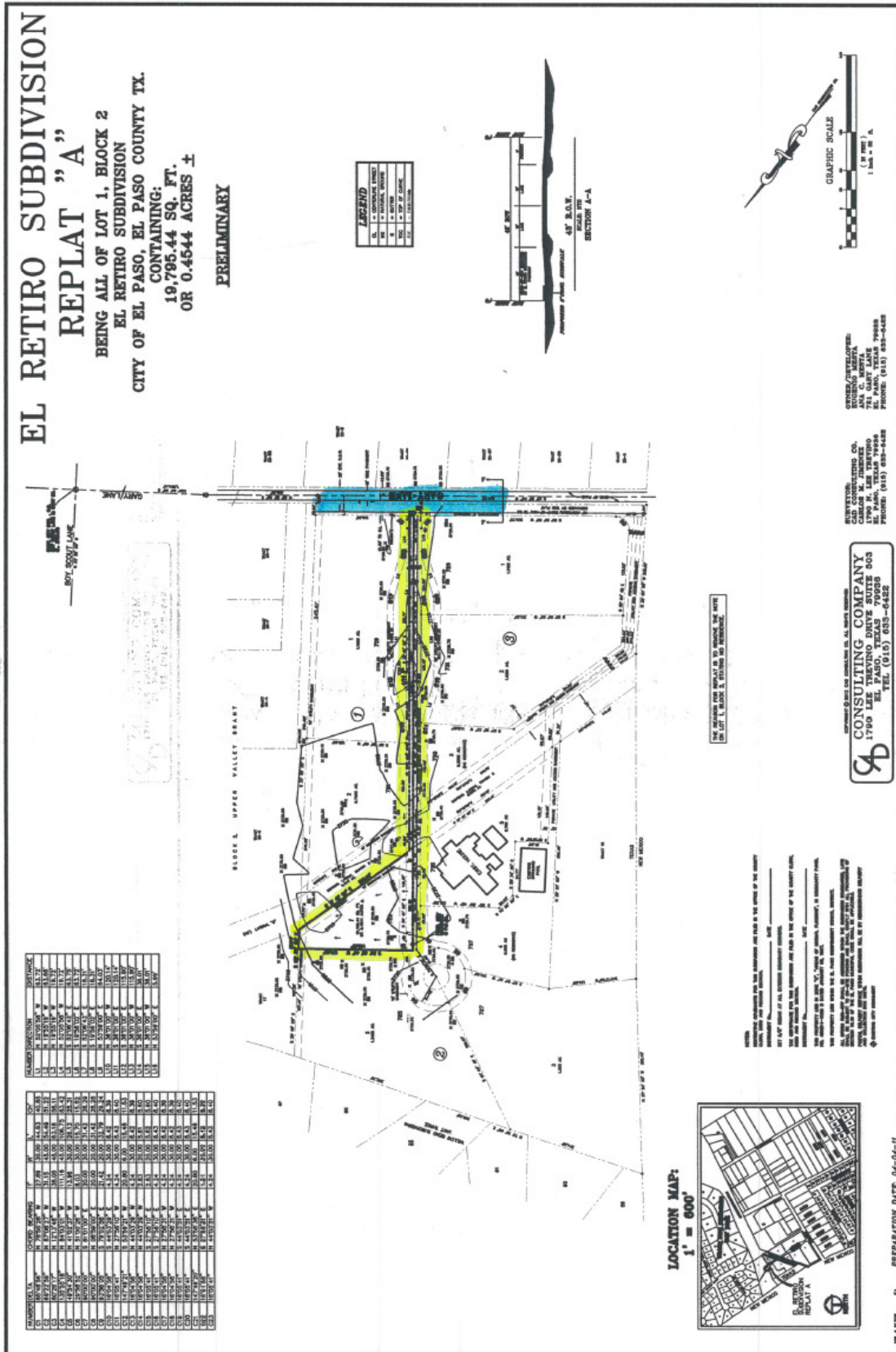


ATTACHMENT 2





# ATTACHMENT 3



[illegible]



**ATTACHMENT 5**



December 21, 2011

Planning, Research &  
Development Department  
Att: Raul Garcia

**El Retiro Subdivision Replat "A"**

**RE: Request for Variance for the property legally as Lot 1, Block 2, El Retiro Subdivision Replat "A", (Being Lot 1, Block 2, El Retiro Subdivision), City of El Paso, EL Paso County, Texas.**

The reason for the Modification request is because Lot 1, Block 2 exceeds the minimum 200 feet requirement for a Pen-Handle Lot which we have @ 518.96 feet.

Should you have any questions concerning this proposal, please contact us at your convenience at (915) 633-6422.

Respectfully,

Carlos M. Jimenez

## ATTACHMENT 6



### CITY PLAN COMMISSION APPLICATION FOR RESUBDIVISION COMBINATION APPROVAL

DATE: \_\_\_\_\_ FILE NO. SUSU12-00001

SUBDIVISION NAME: EL RETIRO SUBDIVISION REPLAT A

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
LOT 1, BLOCK 2  
EL RETIRO SUBDIVISION

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>0.4544</u>	<u>1</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____		_____	_____
Commercial	_____	_____	Total No. Sites	_____	_____
Industrial	_____	_____	Total (Gross) Acreage	<u>0.4544</u>	_____

3. What is existing zoning of the above described property? R-2A Proposed zoning? \_\_\_\_\_

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ☒ No \_\_\_\_\_

5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both \_\_\_\_\_

6. What type of drainage is proposed? (If applicable, list more than one)  
ON-SITE PONDING

7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No ☒

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes ☒ No \_\_\_\_\_  
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

10. Improvement Plans submitted? Yes \_\_\_\_\_ No ☒

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes ☒ No \_\_\_\_\_

If yes, please submit a vested rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record EUGENIO & ANA C. MESTA  
(Name & Address) (Zip) (Phone)
13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)
14. Engineer CAO CONSULTING CO 633-6422  
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
FEE: \$1,083.00

OWNER SIGNATURE: Eugenio Mesta Ana Mesta  
REPRESENTATIVE: \_\_\_\_\_

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.